

City of Harrington
MINUTES
City Council Special Meeting
January 8, 2014

A special meeting of the Harrington City Council was held at Harrington City Hall, 106 Dorman Street, on January 8, 2014 and was attended by the following: Mayor Anthony R. Moyer; Vice Mayor Cheryl Lahman; Council Member Fonda Coleman; Council Member Amy Minner; Council Member Charles W. Porter; Council Member Kenneth Stubbs; Norman Barlow, Chief of Police; William Pepper, City Solicitor; Teresa Tieman, City Manager; and Kelly Blanchies, Clerk of Council.

Also in attendance: Peter Karras and Jim Coudriet.

Council Member Duane E. Bivans was absent.

Public Comments

Peter Karras stated that after the last snow storm, sidewalks were not cleared of snow. There are children that walk to school and should not have to walk in the street. There are seniors that cannot shovel snow off of the sidewalks. The City should enforce the law that sidewalks be cleared.

Mr. Karras asked if the recently installed ramps were paid for by the homeowners. The City Manager stated that when the street improvement is being paid for with federal money, ADA ramps must be installed. Federal money was used to pay for the ramps.

Mr. Karras asked that the City Council come up with a program to plow the snow from the sidewalks. The City Manager stated that it is an enforcement issue and will be focused on with the next snow storm. Mr. Karras stated that he does not want to burden senior citizens. The City Manager stated that there are liability, cost, and manpower issues associated with a program like that. Mr. Karras stated that he would like a public vote on the issue.

Mayor Moyer called the meeting to order at 6:55 p.m.

Roll was called.

Agenda preparation and approval

Council Member Minner stated that she does not believe this meeting was called properly. The City Manager stated that four Council Members requested that the

Clerk of Council call the special meeting. The City Solicitor stated that the meeting is in order in accordance to the Charter.

Council Member Porter stated that the Charter does not say who sets the agenda. As of now, any agenda item requested by an elected official can be held up. Council Member Porter proposed that the agenda be set by the Mayor, Vice Mayor, City Manager, and Chief of Police.

Vice Mayor Lahman asked when the agenda must be set. The City Solicitor stated that notice of a meeting has to be posted at least seven days in advance of the meeting and the agenda posted as soon as it becomes available. The City Solicitor stated that he recommends posting the agenda when the notice of the meeting is posted seven days out. The Freedom of Information Act (FOIA) trumps any established rules.

Council Member Minner asked why the procedure is being changed. Council Member Porter stated that an item was pulled off a workshop agenda; now it would have to go through five people to be removed from the agenda. The City Manager stated that actually the proposal is that the Vice Mayor sets the agenda and approves it. Mayor Moyer stated that the Mayor has always set the agenda. The proposed changes have only moved the agenda setting from the Mayor to the Vice Mayor.

Council Member Porter asked how the agenda is set for Kent County Levy Court meetings. The City Solicitor stated that the leadership, led by the County Administrator, sets the agendas for meetings.

Council Member Minner stated that the new process will take even longer to prepare an agenda.

Mayor Moyer stated that the City Manager should have input on the agenda but should not set it.

The City Solicitor suggested having the Agenda Committee meet and decide what is going to be on the agenda. Mayor Moyer stated that he does not have a problem with a consensus of that group. Council Member Porter stated that he does not have a problem with that.

The City Solicitor stated that consent agendas were tried before and did not work for the City Council.

Council Member Porter stated that the only reason this was brought up was, because Mayor Moyer removed something from the agenda. The previous Mayor worked problems out before making them public.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to approve the agenda preparation procedures as amended. Roll was called: 4 Yes, 1 No, 1 Absent (Lahman – Yes, Bivans – Absent, Coleman – Yes, Minner – No, Porter – Yes, Stubbs – Yes). The MOTION passed by majority.

Transfer of grant funds

The City Manager stated that she met with the City Engineer, Tom Wilkes, and Lisa Fitzgerald, from the USDA, in the middle of December to discuss the remaining grant balance of two hundred sixty-three thousand one hundred sixty-three dollars (\$263,163) from the force main project. The USDA likes to close out projects within a five year period, which would be 2014. There has not been any movement from DNREC on the approval of the lagoon closure plan, so finishing that project within the time frame seems unlikely. The sewer line on Dorman Street is not up to capacity, and there have been issues with it. The estimated cost of the project to increase the sewer line size on Dorman Street is three hundred fifty-three thousand nine hundred seventy dollars (\$353,970). The City Manager recommended approving the request to reallocate the grant funds and fund the remaining ninety-one thousand dollar (\$91,000) difference from reserves. The work would try to be done in the summer when school is out.

Council Member Minner asked where the lagoon closure will be funded when it is approved. The City Manager stated that it will probably be from reserves; all the money would not be spent in one year. Council had also requested for the City to request from the USDA funding for the water and wastewater projects along with refinancing; it could probably be incorporated in that as well. The lagoon closure will be a slow process.

A MOTION was made by Council Member Porter, seconded by Council Member Stubbs, to send the letter to the USDA to request the reallocation of grant funds. Roll was called: 5 Yes, 0 No, 1 Absent (Lahman – Yes, Bivans – Absent, Coleman – Yes, Minner – Yes, Porter – Yes, Stubbs – Yes). The MOTION passed unanimously.

There being no further business, a MOTION was made by Council Member Minner, seconded by Council Member Coleman, to adjourn the City Council Meeting. The MOTION passed unanimously, and the meeting adjourned at 7:17 p.m.

Respectfully Submitted,

Kelly Blanchies
Clerk of Council